



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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December 13, 1994

Mr. Gerald W. Berry
Tetla Septarians
195 South Center
Orderville, UTah 84758

Re: Notice of Intention to Commence Small Mining Operations, ML 46643 Project,
S/025/020, Kane County, Utah

Dear Mr. Berry:

Thank you for being so prompt in addressing our December 6, 1994 letter, by submitting the Notice of Intention to Commence Small Mining Operations. The application for the proposed ML 46643 Project, located in Section 5, T41S, R7W, SLBM, Kane County, Utah is now complete and no additional information is required from this Division at this time.

Thank you also, for clarifying the fact that this project is located on a portion of state lands. Approval of mineral exploration or mining operations by the Division of Oil, Gas and Mining does not constitute approval to commence operations upon lands under state mineral leases administered by the School and Institutional Trust Lands Administration/school sections. Before conducting mining operations on state leased lands, the operator must provide formal written notification, meet bonding requirements, and obtain written approval from the School and Institutional Trust Lands Administration. Please contact them for their requirements. Their address is: School and Institutional Trust Lands Administration, 355 West North Temple, Suite 400, Salt Lake City, Utah 84180-1204; phone number (801) 538-5508.

For your reference, I have enclosed copies of our summarized rules regarding "Operation and Reclamation Practices", and the statutory penalty for failure to reclaim a minesite (SMO-1).

Please give special consideration to item #10 of the "Operation and Reclamation Practices. Stockpiling topsoil material prior to beginning your mining operation will help ensure successful revegetation efforts upon final reclamation of the minesite. If the area being mined is a solid rock outcrop, or if the land surface is very rocky, then soil stockpiling

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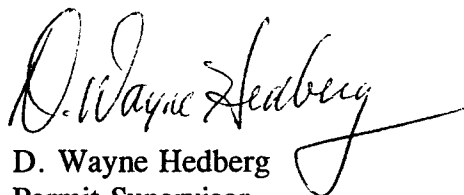
is probably not possible. However, even the first few inches of undeveloped material is worth saving to aid in later revegetation efforts, and future regulatory release from reclamation requirements.

Should you wish to expand your operation beyond the five (5) acre limitation, please notify this office as soon as possible to discuss the necessary permitting requirements.

A Memorandum of Understanding between this Division and the State Department of Environmental Quality (DEQ) requires us to notify them upon receipt of a mining application. If you haven't already done so, you are advised to contact their office prior to starting your small mining operation to determine whether additional permits and/or approvals are required. We will forward a copy of this letter and your notice to the DEQ for their review. Their address and phone number is: Department of Environmental Quality, 288 North 1460 West, Salt Lake City, Utah, 84116, (801) 538-6146.

Thank you for your cooperation. When in the area, a member of the Division staff will examine the site. Best wishes with your mining operation.

Sincerely,

A handwritten signature in black ink, reading "D. Wayne Hedberg". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure
cc: Kiran Bhayani, DWQ w/NOI
Roger L. Bon, UGS
Will Stokes, SITLA
Minerals File
S025020